REMARKS

Reconsideration and allowance of the present application are requested in light of the claim amendments above and the remarks that follow. Claims 1-37 remain pending in the application.

In the Office Action, on page 2, the Examiner has objected to claims 6, 17 and 29. By the foregoing amendment, these objections have been addressed such that withdrawal of the objections raised by the Examiner is requested.

Later on page 2, the Examiner has rejected claim 37 under 35 U.S.C. § 112, second paragraph. By the foregoing amendment, the rejection has been addressed such that withdrawal of the objections raised by the Examiner is requested.

On page 3 of the Office Action, claims 24-37 are rejected under 35 U.S.C. § 101. This rejection is respectfully traversed, as independent claims 24 and 35 are directed to statutory subject matter. For example, Claim 7 is directed to a medium comprising a computer program for causing a computer to perform specific functions. Claim 35 is directed to a specific data structure associated with a topology of a network, such that the data structure constitutes a useful, concrete and tangible result. However, to address the Examiner's concerns, independent claims 24 and 35 have been amended in the manner suggested by the Examiner to clarify that they are directed to a computer program and a data structure, respectfully embodied in a computer readable medium. As such, withdrawal of the objections under 35 U.S.C. § 101 is requested.

In the Office Action on page 3, the Examiner has rejected claims 1, 3-6, 8-12, 14-17, 19-24, 26-29 and 31-36 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. US 2004/0083284 (Ofek) in view of U.S. Patent No. 7,197,660 (Liu et al). On page 7, the Examiner has rejected claims 2, 7, 13, 18, 25 and 30 under 35 U.S.C. § 103(a) as being unpatentable over Ofek in view of U.S. Liu et al in further view of U.S. Patent No. 6,954,436 (Yip). These rejections are respectfully traversed, as the documents relied upon by the Examiner fail to teach, suggest or provide any motivation whatsoever for Applicants' invention as set forth in independent claims 1, 12, 24 and 35. For example, Applicants' independent claim 1 method recites, among other features, **discovering** a topology object model of routers, and **detecting a condition** of at least one **backup router group** based on at least one **threshold value**. Claim 1 also recites **displaying** an indication of the **detected condition**. Such features are neither taught nor suggested by the documents relied upon by the Examiner, such that claim 1 is allowable. Because the other independent claims recites various aspects of features discussed with respect to claim 1, these claims are also allowable.

More particularly, in rejecting claim 1 on pages 3-4 of the Office Action, the Examiner refers to paragraph [0021] of the Ofek document. On page 4 of the Office Action, the Examiner acknowledges the Ofek document "fails to explicitly suggest detecting a condition of the at least one backup router group based on at least one threshold value". The Examiner therefore, relies on the Liu document as "identifying a redundancy group, identifying a master device for the group, identifying primary and secondary backup(s) for the group, storing the designations and associated connections in a redundancy group table, receiving status information, and

monitoring the group for failures **(Column 8, lines 10-29)**." The Examiner asserts that it would have been obvious to "incorporate the recovery method taught by Liu into the system for providing data awareness disclosed by Ofek". This assertion of the Examiner is respectfully traversed. Even assuming that a combination as suggested by the Examiner would have been motivated, the presently claimed invention would not have resulted.

Referring to Applicants' exemplary Figure 1 embodiment, a method is disclosed for monitoring a network which contains routers that use a backup routing protocol. Exemplary embodiments use a topology object model, such as the data structure shown in Applicants' Figure 2, to monitor the network. No such topology object model is disclosed or suggested in any of the documents relied upon by the Examiner, nor is any method or system which exploits such a topology object model disclosed or suggested.

The Ofek document is directed to using a topology object model, as described in paragraph [0021] of the Ofek document, to store elements of different types of domains (e.g., the SONET-based domain and the DWDM-based domain mentioned in paragraph [0004] of the Ofek document). There is no discussion in the Ofek patent of configuring a network to contain routers that use a backup routing protocol, and that are organized in at least one backup router group. As such, there is no teaching or suggestion by Ofek of any mechanism for discovering topology information concerning such routers, or for evaluating conditions of such routers. Ofek therefore fails to provide teaching or suggestion of detecting a condition of at least one backup router group based on a threshold value, as presently recited in

Applicants' claim 1. Because there are no routers which use a backup routing protocol that are discovered in the Ofek document, and no detecting of any condition associated with a backup router group containing such routers, Ofek also fails to disclose or suggest the claim 1 feature of displaying any indication of such a detected condition.

The Liu patent is directed to a network security system wherein a master device and backup device within a cluster of network security devices, are provided. The abstract of the Liu patent describes detecting failure in the cluster of network security devices, and using the state information to recover from the failure. Column 8, lines 10-29 (cited by the Examiner in rejecting claim 1), describe an initialization stage wherein a redundancy group is identified. This portion of the Liu document merely describes identifying aspects of a redundancy group so that a "next master" can be pre-selected before a failure occurs in the network affecting the originally identified master device. There is, however, no teaching or suggesting in the Ofek document or in the Liu patent of detecting a condition of a backup router group based on a threshold value, and displaying an indication of such a detected condition as part of a network monitoring operation (see Applicants' claim 1). The Ofek document does not deal with backup router groups, the Liu patent does not deal with display of backup router group information, and neither document deals with detecting and displaying conditions of a backup router group.

The Yip patent, cited in the rejection of claim 2 with reference to column 2, lines 11-25, is directed to a method for electing a master router in a network. Column 2, lines 16-19 describe that remaining routers, other than a designated

"master SRP router", function as backup routers. Like the Liu document, the Yip patent fails to teach or suggest detecting a condition of a backup router group based on a threshold value, and displaying an indication of the detected condition as recited in Applicants' claim 1. Yip, like Liu, fails to teach or suggest the benefits of a discovery process and a topology object model data structure which enables conditions of a backup router group to be detected and displayed for effective network management by a user.

As such, claim 1 is allowable over the documents relied upon by the Examiner.

The remaining independent claims 12, 24 and 35 recite features similar to those discussed with respect to claim 1 and are also allowable. For example, claim 12 recites a system for monitoring a network wherein a discovering means discovers a topology object model of routers using a backup routing protocol, and detecting a condition of at least one backup router group based on a threshold value; and displaying an indication of the detected condition. Independent claim 24 is directed to a computer readable medium containing similar features. Independent claim 35 is directed to a data structure for representing a backup routing protocol topology object model for a network. The data structure includes, among other features, a backup routing protocol group object. Such a feature enables an exemplary embodiment wherein conditions of a backup routing group can be detected and displayed. For reasons similar to those discussed with respect to the remaining independent claims, claim 35 is allowable.

All of the remaining claims depend from the aforementioned independent claims, and additional advantageous features which further distinguish over the documents relied upon by the Examiner. As such, all of claims 1-37 are allowable.
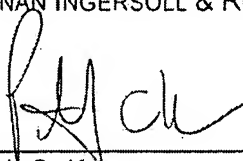
All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the application is in condition for allowance and a Notice of Allowance is respectfully solicited.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: Dec. 17, 2007   By: _____

Patrick C. Keane
Registration No. 32858

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620